



STATE OF DELAWARE
DEPARTMENT OF JUSTICE



CARL C. DANBERG
Attorney General

NEW CASTLE COUNTY

Carvel State Building
 820 N. French Street
 Wilmington, DE 19801
Criminal Division (302) 577-8500
Fax: (302) 577-2496
Civil Division (302) 577-8400
Fax: (302) 577-6630
TTY: (302) 577-5783

KENT COUNTY

102 West Water Street
 Dover, DE 19901
Criminal Division (302) 739-4211
Fax: (302) 739-6727
Civil Division (302) 739-7641
Fax: (302) 739-7652
TTY: (302) 739-1545

SUSSEX COUNTY

114 E. Market Street
 Georgetown, DE 19947
(302) 856-5352
Fax: (302) 856-5369
TTY: (302) 856-2500

PLEASE REPLY TO:

January 9, 2006

New Castle County/Civil Division

The Honorable Kent A. Jordan
 United States District Court
 District of Delaware
 844 King Street
 Wilmington, DE 19801

Re: Guinn v. Kearney, et al.
C.A. No. 04-1529-KAJ

Dear Judge Jordan:

Pursuant to paragraph 7 of the Scheduling Order, the parties hereby submit their Interim Status Report. A telephonic status conference is set for January 17 at 4:30 p.m. Discovery is scheduled to close on March 1, 2006. This litigation concerns allegations pertaining to conditions of confinement at Sussex Correctional Institution ("SCI") in Georgetown, Delaware.

Status of Discovery

Defendants have served Plaintiff with Interrogatories and a Request for Production. Responses are due February 5, 2006. Defendants have also filed a Motion for Leave to Depose Plaintiff, who is currently incarcerated at SCI.

To date, Plaintiff has not propounded discovery directed to Defendants.

Status of Mediation

On September 30, 2005, the parties had a teleconference with Magistrate Judge Mary Pat Thyng. Judge Thyng indicated that a second teleconference would be scheduled to discuss Plaintiff's particular concerns with respect to the conditions of confinement at SCI. That second teleconference has not yet been scheduled. Further, mediation has not been scheduled in this matter.

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Status of Settlement Discussions

Plaintiff has made a settlement demand of \$1,500. Defendants are not prepared to make an offer to settle the case at this time.

Undersigned counsel is available if the Court has any questions.

Respectfully,

/s/ Eileen Kelly
Eileen Kelly
Deputy Attorney General

cc: Kendall Guinn
SBI #162890